

The Order of Excludable delay entered January 5, 2012 will continue until the issue of defendant's competency is determined.

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So ordered.

/s/(ARR)

3/8/12

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March 7, 2012

BY ECF and REGULAR MAIL

Hon. Allyne R. Ross
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: U.S. v. Larry Carr
11 Cr. 454 (ARR)

Dear Judge Ross:

Counsel was appointed to represent Larry Carr, with regard to the above-referenced matter, pursuant to the Criminal Justice Act. I write today to update the Court with regard to the psychiatric evaluation ordered by Your Honor, at counsel's request.

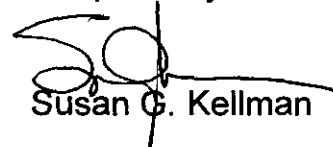
Mr. Carr was in the process of having his evaluation done when he was struck by a car as he was pumping gas at a roadside station. As a result of this accident, Mr. Carr reports that he sustained a broken arm, a broken leg and internal injuries. After several days in the hospital in Florida, where the accident occurred, he returned to his home in Georgia. In light of his injuries, travel to New York to meet with Dr. Yates to complete his evaluation has been impossible. Additionally, the arm that Mr. Carr broke is his right/dominant arm, leaving him unable to write. Dr. Yates explained that a significant component of her testing involves Mr. Carr's ability to comprehend and respond, in writing, to many of the tests she will administer. Mr. Carr reports that the casts are expected to remain in place for four to six weeks. Additionally, Mr. Carr is currently relying on prescription medications to manage the pain he is experiencing as a result of his injuries. Dr. Yates explains that these pain

medications would interfere with her ability to obtain reliable information from Mr. Carr for the purpose of her evaluation. On a moderately more positive note, Dr. Yates reports that she has been in touch with a physician in Georgia who referred Mr. Carr to a neurologist in order that he undergo a CAT scan or MRI of his brain. We expect that this testing can and will be accomplished while Mr. Carr is in Georgia, as soon as he is comfortable enough to travel.

At the present time counsel is unable to predict with any accuracy when Mr. Carr's psychiatric evaluation will be complete. I have notified government counsel, AUSA Lan Nguyen, of the situation. Counsel will keep the Court and government counsel updated with regard to the progress of Mr. Carr's recovery and move, with haste, to complete the testing as quickly as possible once he is more ambulatory. Of course, Mr. Carr waives any speedy trial concerns in light of his inability to appear in court.

The Court's consideration of this matter is appreciated.

Respectfully submitted,



Susan G. Kellman

cc: Lan Nguyen, Esq.
Asst. United States Atty.

Dr. Kathy Yates

Larry Carr